

<div>Page 1</div> <div>IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON EUGENE DIVISION</div> <div>NICHOLAS JAMES MCGUFFIN, as an) Civil No. individual and as guardian ad) 6:20-cv-01163- litem, on behalf) MK Of S.M., a minor,) Plaintiffs,) vs.) MARK DANNELS, PAT DOWNING, SUSAN) HORMANN, MARY KRINGS, KRIS) KARCHER, SHELLY MCINNES, RAYMOND) MCNEELY, KIP OSWALD, MICHAEL) REAVES, JOHN RIDDLE, SEAN) SANBORN, ERIC SCHWENNINGER,) RICHARD WALTER, CHRIS Webley,) ANTHONY WETMORE, KATHY WILCOX,) CRAIG ZANNI, DAVID ZAVALA, JOEL) D. SHAPIRO AS ADMINISTRATOR OF) THE ESTATE OF DAVID E. HALL,) VIDOCQ SOCIETY, CITY OF COQUILLE,) CITY OF COOS BAY, and COOS) COUNTY,) Defendants.)</div> <div>DEPOSITION OF RAYMOND MCNEELY Taken in behalf of Plaintiffs April 26, 2022 * * *</div>	<div>Page 3</div> <div>WOOD SMITH HENNING & BERMAN LLP Counsel for Defendants: Vidocq Society and Richard Walter 12755 Southwest 69th Avenue Suite 100 Portland, Oregon 97223 kschaffer@wshblaw.com BY: KARIN L. SCHAFFER Also present: Nicholas McGuffin</div>																																																											
<div>Page 2</div> <div>BE IT REMEMBERED THAT, pursuant to the Oregon Rules of Civil Procedure, the remote deposition of RAYMOND MCNEELY was taken by Amanda K. Fisher, Certified Shorthand Reporter, on April 26, 2022, in the City of Portland, County of Multnomah, State of Oregon.</div> <div>APPEARANCES:</div> <div>MALONEY LAUERSDORF REINER, PC Counsel for Plaintiffs 1111 E. Burnside Street Suite 300 Portland, Oregon 97214 acl@mlrlegalteam.com jpuracal@forensicjusticeproject.org BY: ANDREW C. LAUERSDORF JANIS C. PURACAL</div> <div>LAW OFFICE OF ROBERT E. FRANZ, JR. Counsel for Defendants: City of Coquille, City of Coos Bay, Coos County, Craig Zanni, Chris Webley, Eric Schwenninger, Sean Sanborn, Ray McNeely, Kris Karcher, Pat Downing, Mark Dannels, Kip Oswald, Michael Reaves, David Zavala, Anthony Wetmore, Shelly McInnes PO Box 62 Springfield, Oregon 97477 shenderson@franzlaw.comcastbiz.net BY: SARAH R. HENDERSON</div> <div>OREGON DEPARTMENT OF JUSTICE Counsel for Defendants: Oregon State Police, John Riddle, Susan Hormann, Mary Krings, Kathy Wilcox 100 SW Market Street Portland, OR 97201 jesse.b.davis@doj.state.or.us</div>	<div>Page 4</div> <div>INDEX</div> <table><tr><td>Examinations</td><td>Page</td></tr><tr><td>BY MR. LAUERSDORF:</td><td>5</td></tr><tr><td>BY MS. SCHAFFER:</td><td>219</td></tr><tr><td>BY MR. LAUERSDORF:</td><td>222</td></tr></table> <div>EXHIBITS</div> <table><tr><td>No.</td><td>Description</td><td>Page</td></tr><tr><td>1</td><td>Dannels' press conference</td><td>92</td></tr><tr><td>2</td><td>Coquille PD incident report</td><td>131</td></tr><tr><td>3</td><td>Coquille PD incident report</td><td>135</td></tr><tr><td>4</td><td>Coquille PD incident report</td><td>173</td></tr><tr><td>10</td><td>Coquille PD incident report</td><td>176</td></tr><tr><td>12</td><td>Coquille PD incident report</td><td>152</td></tr><tr><td>14</td><td>Coquille PD incident report</td><td>162</td></tr><tr><td>15</td><td>Coquille PD incident report</td><td>154</td></tr><tr><td>16</td><td>Handwritten note</td><td>145</td></tr><tr><td>18</td><td>Notice of potential discipline letter</td><td>53</td></tr><tr><td>19</td><td>Disciplinary interview letter</td><td>56</td></tr><tr><td>23</td><td>ABC News 20/20 video</td><td>190</td></tr><tr><td>24</td><td>ABC News 20/20 video</td><td>192</td></tr><tr><td>25</td><td>Paul Frasier to-do list</td><td>205</td></tr><tr><td>26</td><td>ABC News 20/20 video</td><td>206</td></tr><tr><td>27</td><td>ABC News 20/20 video</td><td>208</td></tr></table>	Examinations	Page	BY MR. LAUERSDORF:	5	BY MS. SCHAFFER:	219	BY MR. LAUERSDORF:	222	No.	Description	Page	1	Dannels' press conference	92	2	Coquille PD incident report	131	3	Coquille PD incident report	135	4	Coquille PD incident report	173	10	Coquille PD incident report	176	12	Coquille PD incident report	152	14	Coquille PD incident report	162	15	Coquille PD incident report	154	16	Handwritten note	145	18	Notice of potential discipline letter	53	19	Disciplinary interview letter	56	23	ABC News 20/20 video	190	24	ABC News 20/20 video	192	25	Paul Frasier to-do list	205	26	ABC News 20/20 video	206	27	ABC News 20/20 video	208
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<p style="text-align: right;">Page 5</p> <p>1 PORTLAND, OREGON; TUESDAY, April 26, 2022</p> <p>2 9:00 A.M.</p> <p>3 * * *</p> <p>4 RAYMOND MCNEELY</p> <p>5 called as a witness in behalf of Plaintiffs,</p> <p>6 having first been sworn by the Reporter,</p> <p>7 testifies as follows:</p> <p>8</p> <p>9 EXAMINATION</p> <p>10 BY MR. LAUERSDORF:</p> <p>11 Q. Okay. Is it -- you're in the Sheriff's</p> <p>12 Department, so it is Deputy McNeely?</p> <p>13 A. Sergeant McNeely.</p> <p>14 Q. Sergeant McNeely. Okay. So you've had a</p> <p>15 promotion since being at Cochise County?</p> <p>16 A. Yeah. Corporal and then Sergeant.</p> <p>17 Q. Okay. All right. So I'll refer to you as</p> <p>18 Sergeant McNeely?</p> <p>19 A. You can refer to me as Ray. That's fine.</p> <p>20 Q. Well, for the record, I --</p> <p>21 A. Okay.</p> <p>22 Q. -- I'm not supposed to do that.</p> <p>23 A. Oh, okay. Sorry.</p> <p>24 Q. So my name is Andy Lauersdorf. You and I have</p> <p>25 never met before, is that right?</p>	<p style="text-align: right;">Page 7</p> <p>1 Q. What is your date of birth?</p> <p>2 A. January 07, 1978.</p> <p>3 Q. Where were you born?</p> <p>4 A. Moscow, Idaho.</p> <p>5 Q. What's your current address?</p> <p>6 A. Business address?</p> <p>7 Q. Sure, that's fine.</p> <p>8 A. 205 North Judd Drive, Bisbee, Arizona, 85603.</p> <p>9 Q. Can you spell Judd for me.</p> <p>10 A. J-U-D-D.</p> <p>11 Q. Okay. And Bisbee is B-I-S-B-E-E?</p> <p>12 A. B-I-S-B-E-E, correct.</p> <p>13 Q. Okay. And who is your current employer?</p> <p>14 A. The Cochise County Sheriff's office.</p> <p>15 Q. When did you start with Cochise County?</p> <p>16 A. November of 2015.</p> <p>17 Q. 2015? Okay.</p> <p>18 A. Yeah.</p> <p>19 Q. And your current title is Sergeant. Okay.</p> <p>20 Do you have a different -- I know you already</p> <p>21 had a DPSST number that was 46177, is that right?</p> <p>22 A. That sounds correct, sir, yes.</p> <p>23 Q. Do you have a different number that you're using</p> <p>24 in Arizona for law enforcement identification?</p> <p>25 A. Yeah, it's 1523.</p>
<p style="text-align: right;">Page 6</p> <p>1 A. I don't believe so, sir.</p> <p>2 Q. Okay. I'm an attorney representing the</p> <p>3 Plaintiffs in this matter, which is a lawsuit filed by</p> <p>4 Mr. McGuffin against a number of Defendants, including</p> <p>5 yourself.</p> <p>6 Do you understand that?</p> <p>7 A. I do.</p> <p>8 Q. Okay. And, just for the record, I'll make some</p> <p>9 quick introductions.</p> <p>10 Also on the call this morning are Mr. Jesse</p> <p>11 Davis, representing the State of Oregon, and Ms. Karin</p> <p>12 Schaeffer representing Richard Walter and the Vidocq</p> <p>13 Defendants. If I got any of that incorrect, please</p> <p>14 speak up. Otherwise, we'll go ahead and move on.</p> <p>15 I understand that you're represented by Sarah</p> <p>16 Henderson today and that she's in the room with you.</p> <p>17 Is that right?</p> <p>18 A. Correct.</p> <p>19 Q. Okay. Can you please state your name as given</p> <p>20 at birth.</p> <p>21 A. Raymond Lee McNeely.</p> <p>22 Q. Are you a Junior?</p> <p>23 A. No. My dad has a different middle name.</p> <p>24 Q. Okay. And your place and date of birth?</p> <p>25 A. Say that again, sir. Sorry.</p>	<p style="text-align: right;">Page 8</p> <p>1 Q. And so up here we call that a DPSST number.</p> <p>2 What's it called here?</p> <p>3 A. It's our county number. It's the year you were</p> <p>4 hired and the -- like, the first employee hired of that</p> <p>5 year would be the date and then number 1, so I was the</p> <p>6 23rd employee hired in 2015.</p> <p>7 Q. Okay. And then that is that just a county</p> <p>8 number, or is that used for state-wide officer</p> <p>9 identification?</p> <p>10 A. We -- usually when we sign our names in the</p> <p>11 state stuff we put that identifier because signatures</p> <p>12 are hard to read, but I don't think the State actually</p> <p>13 uses it, to my knowledge.</p> <p>14 Q. Okay. Do you know if there's a different number</p> <p>15 or identifier that the state uses?</p> <p>16 A. No, I think they just use your name, is my</p> <p>17 understanding.</p> <p>18 Q. Okay. You're here today to be deposed.</p> <p>19 Do you understand that?</p> <p>20 A. I do.</p> <p>21 Q. And this is the date previously agreed upon, and</p> <p>22 not quite the time. But it's Tuesday, April 26th,</p> <p>23 2022, and it's approximately 9:45 AM.</p> <p>24 Do you agree with that?</p> <p>25 A. I do.</p>

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<p style="text-align: right;">Page 145</p> <p>1 So your job was just to write down what people</p> <p>2 said, and then everything else was up to somebody other</p> <p>3 than you to evaluate whether their stories had changed</p> <p>4 over time or anything like that, is that right?</p> <p>5 A. Correct. We were just advised to go out and</p> <p>6 interview these people and write -- document down what</p> <p>7 they said in today's -- today's time.</p> <p>8 Q. Okay.</p> <p>9 A. That was briefed over the -- the Major Crimes</p> <p>10 Team.</p> <p>11 Q. Do you recall writing your reports or Webley</p> <p>12 writing his reports times when he thought that</p> <p>13 somebody's -- a witness's testimony was suspicious or</p> <p>14 wasn't adding up something like that?</p> <p>15 A. Not that I recall, no.</p> <p>16 Q. Okay. So then let's see. I wanted to ask you</p> <p>17 about this exhibit that's been marked as Exhibit 16.</p> <p>18 (Exhibit No. 16 marked for identification.)</p> <p>19 Q. Do you recognize that handwriting at all?</p> <p>20 A. I do not.</p> <p>21 Q. Okay. Have you ever seen this document before?</p> <p>22 A. No, not that I recall.</p> <p>23 Q. So you don't recognize the handwriting and you</p> <p>24 don't know who the author of this document was?</p> <p>25 A. No. Not that I recall, no.</p>	<p style="text-align: right;">Page 147</p> <p>1 MR. LAUERSDORF: Can you not see the screen</p> <p>2 I'm sharing?</p> <p>3 MR. DAVIS: I can, it's just small on my</p> <p>4 end, and I didn't hear you mention it. I've got it</p> <p>5 now. Thanks.</p> <p>6 MR. LAUERSDORF: Okay.</p> <p>7 BY MR. LAUERSDORF: (Continuing)</p> <p>8 Q. So Mr. McGuffin confirmed that he had gone out</p> <p>9 to Lee Valley Road with Hamilton during the pretext</p> <p>10 call, is that right?</p> <p>11 A. That's what I recall, yes.</p> <p>12 Q. And you said that that was new information, or</p> <p>13 that was kind of new information derived from an old</p> <p>14 lead.</p> <p>15 What's the significance of that information to</p> <p>16 you? Why was that significant?</p> <p>17 A. Because Nick confirmed that it actually</p> <p>18 happened.</p> <p>19 Q. Okay. Had anybody ever asked Nick McGuffin</p> <p>20 before if it had ever happened?</p> <p>21 A. Not that I'm aware of. I don't know.</p> <p>22 Q. And you know -- well, maybe you didn't know, but</p> <p>23 were you aware that Coquille PD and the Major Crimes</p> <p>24 Team knew at the time that this was after the body had</p> <p>25 already been discovered?</p>
<p style="text-align: right;">Page 146</p> <p>1 Q. Okay. So you interviewed Scott Hamilton, and</p> <p>2 here down -- here he says -- he tells you, "Less than</p> <p>3 one week after Freeman was found, McGuffin asked him to</p> <p>4 go for a ride with him. Hamilton said McGuffin was sad</p> <p>5 and he wanted to help, so he agreed to go with him.</p> <p>6 According to Hamilton, McGuffin took him out Lee Valley</p> <p>7 Road about 40 to 50 yards past the gravel pit in a red</p> <p>8 Thunderbird car. Hamilton said McGuffin pulled over</p> <p>9 and parked on the left side of the road. According to</p> <p>10 Hamilton, McGuffin knew right where he was going and</p> <p>11 out of the car, walking to a specific spot."</p> <p>12 Is that the information that you were talking</p> <p>13 about earlier when you said you did the pretext call</p> <p>14 with Hamilton because you wanted McGuffin to confirm</p> <p>15 that?</p> <p>16 A. That's -- yeah, that -- from what I recall,</p> <p>17 that's what we were -- that's what he asked Nick on the</p> <p>18 pretext, something about if I should -- actually, I'm</p> <p>19 not going to guess, so -- but, yeah, I believe it had</p> <p>20 something -- it was something it do with that, correct.</p> <p>21 Q. And on the pretext call, McGuffin confirmed --</p> <p>22 MR. DAVIS: Counsel, are we back in Exhibit</p> <p>23 2 now?</p> <p>24 MR. LAUERSDORF: Yes.</p> <p>25 MR. DAVIS: Okay.</p>	<p style="text-align: right;">Page 148</p> <p>1 A. I'm not aware of that, no.</p> <p>2 Q. Okay. Were you aware that the Major Crimes Team</p> <p>3 knew at the time that this was after there had been a</p> <p>4 press release issued that identified the almost exact</p> <p>5 point where the body had been discovered?</p> <p>6 MS. HENDERSON: I'm going to object as</p> <p>7 lacking foundation. If you have a document that shows</p> <p>8 that date -- I don't want the witness to assume that.</p> <p>9 Q. I'll show you what's been marked as Exhibit 11</p> <p>10 to the deposition of Mr. Reaves. I'm guessing you</p> <p>11 haven't seen this document before?</p> <p>12 A. I have not, sir.</p> <p>13 Q. Okay. So this is a press release that was</p> <p>14 issued on August 5th, which was two days after the body</p> <p>15 was recovered on August 3rd. In here, Frasier</p> <p>16 releases, "The body was located approximately 10 to 15</p> <p>17 feet from Lee Valley Road down a steep embankment. The</p> <p>18 area is BLM forest land. The location was</p> <p>19 approximately 1.5 miles from the junction of Lee Valley</p> <p>20 Road and Fairview route."</p> <p>21 So that's a pretty specific description of where</p> <p>22 that body was located, isn't it?</p> <p>23 A. Yeah, it is.</p> <p>24 Q. And the Major Crimes team also knew at the time</p> <p>25 that somebody had gone out there and placed a cross at</p>

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<p style="text-align: right;">Page 149</p> <p>1 that location on the night that the body was found, or</p> <p>2 the day after.</p> <p>3 Were you aware of that?</p> <p>4 A. I was not.</p> <p>5 Q. And the Major Crimes Team was also aware that</p> <p>6 people were going out there, non-law enforcement people</p> <p>7 were going out there as early as the night that the</p> <p>8 body was found after the police had released the scene.</p> <p>9 Were you aware of that?</p> <p>10 A. I was not aware of that.</p> <p>11 Q. Okay. So knowing all that, what the Major</p> <p>12 Crimes Team knew, does that affect the significance of</p> <p>13 this revelation?</p> <p>14 MS. HENDERSON: I'm going object to the</p> <p>15 form of the question.</p> <p>16 You can answer, if you understand.</p> <p>17 A. I mean, if I knew that, would that change my</p> <p>18 opinion? Is that what you're asking, sir?</p> <p>19 Q. Yeah. Would it affect your opinion, the</p> <p>20 significance of this information?</p> <p>21 A. Yes, it would.</p> <p>22 Q. Did you -- do you remember discussing that with</p> <p>23 Chief Dannels at any time?</p> <p>24 A. I don't recall, sir.</p> <p>25 Q. Do you recall discussing it with Mr. Frasier at</p>	<p style="text-align: right;">Page 151</p> <p>1 remember, and later we found out it was because someone</p> <p>2 else we tried do a pretext phone call with had actually</p> <p>3 tipped the family off that we were doing pretext phone</p> <p>4 calls.</p> <p>5 Q. Okay. And that was a pretext that you attempted</p> <p>6 with Hamilton?</p> <p>7 A. From what I recall, I -- I would have to see the</p> <p>8 report to be 100 percent sure, sit, but I recall it</p> <p>9 being Hamilton we tried to have call Bruce, from what I</p> <p>10 recall.</p> <p>11 Q. Okay. And, yeah, I -- I'd like to see that</p> <p>12 report, too, I guess. Are you -- is there any chance</p> <p>13 you're confusing Bruce McGuffin with Megan Edgerton?</p> <p>14 A. I -- I mean, I -- I almost -- I'm, like, 70</p> <p>15 percent sure we did one with Bruce McGuffin.</p> <p>16 Q. Okay. Do you recall doing one with Megan</p> <p>17 Edgerton?</p> <p>18 A. I do not recall doing one with Megan Edgerton,</p> <p>19 no.</p> <p>20 Q. Okay. Do you know who Megan Edgerton is?</p> <p>21 A. I want to say that's the ex-girlfriend, right?</p> <p>22 Q. The ex-girlfriend of Brakefield?</p> <p>23 A. I thought it was Nick's or both, yes.</p> <p>24 Q. Both. Yeah. Do you remember trying to do a</p> <p>25 pretext call with her?</p>
<p style="text-align: right;">Page 150</p> <p>1 any time?</p> <p>2 A. I don't recall, sir.</p> <p>3 Q. Okay. And then the other thing that was</p> <p>4 reported here was that Hamilton told you that McGuffin</p> <p>5 told him that he found Freeman walking and picked her</p> <p>6 up in his car, and then began arguing with her. And,</p> <p>7 according to Hamilton, McGuffin said that Freeman</p> <p>8 wanted out of the car and he let her out near McKay's</p> <p>9 Market.</p> <p>10 Does that sound familiar?</p> <p>11 A. I don't -- I don't have an independent memory of</p> <p>12 that, no, sir.</p> <p>13 Q. Okay. Do you recall that coming up during the</p> <p>14 pretext call with McGuffin?</p> <p>15 A. I remember there was other stuff, like I had</p> <p>16 told you, but I didn't remember what it was, so I'd be</p> <p>17 guessing if I assumed it was this.</p> <p>18 Q. Okay. You mentioned earlier that there was a</p> <p>19 pretext call attempted with Bruce McGuffin. Do you</p> <p>20 remember talking about that earlier?</p> <p>21 A. Yes.</p> <p>22 Q. When we talked about that earlier, you said that</p> <p>23 got shut down right away.</p> <p>24 What does that mean?</p> <p>25 A. He was very short and quick, from what I</p>	<p style="text-align: right;">Page 152</p> <p>1 A. I -- I don't recall doing one with her, no.</p> <p>2 Q. Okay. So one of the things that you mentioned</p> <p>3 earlier and we've talked about a little bit is that I</p> <p>4 noticed in reviewing the file that you wrote very few</p> <p>5 reports during your work on the Freeman investigation.</p> <p>6 Is that fair to say?</p> <p>7 A. That is fair to say, yes, sir.</p> <p>8 Q. One of them was -- that's not the right one.</p> <p>9 One of them was this exhibit, Exhibit 12. I'm going to</p> <p>10 show you what's been marked now as Exhibit 12.</p> <p>11 (Exhibit No. 12 marked for identification.)</p> <p>12 Q. This looks like it was actually reviewed and</p> <p>13 approved by Chief Dannels. Is that right? That's his</p> <p>14 signature and badge number?</p> <p>15 A. It appears to be so, sir.</p> <p>16 Q. Okay. And this is a report about you contacting</p> <p>17 Richard Crook at his place of employment.</p> <p>18 Do you recall that contact at all?</p> <p>19 A. I do, yes.</p> <p>20 Q. Go ahead.</p> <p>21 A. It wasn't his place of employment. It was a</p> <p>22 fuel yard where his employers were filling up the</p> <p>23 vehicles.</p> <p>24 Q. Oh, okay. I also noticed in reviewing your</p> <p>25 reports that they're all limited to one or two pages.</p>

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<p>1 so.</p> <p>2 Q. Okay. All right. I think maybe we can kind of</p> <p>3 move past that now.</p> <p>4 So let's see. You also interviewed, it sounds</p> <p>5 like, Alicia Hartwell at some point.</p> <p>6 Do you recall interviewing Alicia Hartwell?</p> <p>7 A. I do not, sir.</p> <p>8 Q. I'll show you what's been marked as Exhibit 4.</p> <p>9 (Exhibit No. 4 marked for identification.)</p> <p>10 Q. This a Webley report approved by whoever that</p> <p>11 officer 626 is. He talks about you -- he and -- well,</p> <p>12 "Officer McNeely and I," so that's you and Webley,</p> <p>13 right? I'll show you the signature line just so you</p> <p>14 can confirm that this is a Webley report.</p> <p>15 That's Webley's signature there, right?</p> <p>16 A. Correct, yes.</p> <p>17 Q. And the date of the report 07/24/2010?</p> <p>18 A. Correct.</p> <p>19 Q. Okay. So it says -- on page 4 of Exhibit 4</p> <p>20 there's a reference to Alicia Hartwell. And you</p> <p>21 don't -- do you remember who Alicia Hartwell was?</p> <p>22 A. I didn't until reading Officer Webley's</p> <p>23 deposition.</p> <p>24 Q. Okay. And so you recall from that deposition</p> <p>25 that Alicia Hartwell was somebody that you guys</p>	<p>1 Q. Do you recall that this interview was after she</p> <p>2 appeared at Grand Jury and before she appeared at Grand</p> <p>3 Jury a second time?</p> <p>4 A. I don't recall, sir.</p> <p>5 Q. Okay. Do you have an independent recollection</p> <p>6 of this interaction with Alicia Hartwell at all, or</p> <p>7 would you just rely on the report?</p> <p>8 A. No, I have no recollection of it except for</p> <p>9 reading it in Webley's deposition.</p> <p>10 Q. Okay. And so if there's information that's not</p> <p>11 in the report, you wouldn't be able to talk about that?</p> <p>12 A. No, sir, I would not.</p> <p>13 Q. Okay. The reason I ask, and I'll just tell you,</p> <p>14 and I'll show you the transcript from her Grand Jury</p> <p>15 testimony if you'd like, but she refers in the Grand</p> <p>16 Jury testimony to photos that she was shown during this</p> <p>17 interview. I haven't been able to find the photos. I</p> <p>18 was just wondering if you knew anything about the</p> <p>19 photos she was shown, how they were shown to her.</p> <p>20 Do you know anything about that?</p> <p>21 A. I do not, sir.</p> <p>22 Q. Okay. So you don't recall if you took any notes</p> <p>23 from that interview?</p> <p>24 A. If -- I -- I mean, I'd be assuming, but if</p> <p>25 Officer Webley wrote the report, he's the one that kept</p>
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<p>1 interviewed at Myrtle Point Police Department?</p> <p>2 A. I don't have an independent recollection of it,</p> <p>3 but I mention that I was -- I was there, so I obviously</p> <p>4 was.</p> <p>5 Q. Okay. Do you recall what you were doing there</p> <p>6 or why you were there to interview her?</p> <p>7 A. No. My whole knowledge of this is reading</p> <p>8 Webley's deposition.</p> <p>9 Q. Okay. So if Webley didn't remember anything</p> <p>10 about this interaction, is it safe to say that you</p> <p>11 wouldn't remember anything about this interaction?</p> <p>12 A. Correct, sir.</p> <p>13 Q. Okay. Were you ever trained in preparing and</p> <p>14 presenting photo lineups?</p> <p>15 A. Photos for people, yes.</p> <p>16 Q. For people. What about for other things,</p> <p>17 vehicles, things like that?</p> <p>18 A. No, because the way we did people you couldn't</p> <p>19 do any other type of lineup.</p> <p>20 Q. Okay. Do you remember preparing a photo lineup</p> <p>21 to show to Alicia Hartwell?</p> <p>22 A. I do not, sir.</p> <p>23 Q. Do you remember presenting Alicia Hartwell with</p> <p>24 any photos during your interview of her?</p> <p>25 A. I do not, sir.</p>	<p>1 the notes. I didn't keep notes. If I had kept notes,</p> <p>2 that would've been something for a report for me, so.</p> <p>3 Q. Okay. Do you recall in your time with Officer</p> <p>4 Webley, while you guys were doing these interviews, do</p> <p>5 you recall in your interview where Officer Webley did</p> <p>6 not take notes?</p> <p>7 A. No, I don't recall any time that he didn't not</p> <p>8 take notes.</p> <p>9 Q. Okay. I think you answered there that you don't</p> <p>10 recall any time that he didn't not take notes. I want</p> <p>11 to make sure I clarify the double-negative.</p> <p>12 Do you remember any interview in which Officer</p> <p>13 Webley did not take notes?</p> <p>14 A. No. From my recollection, all the interviews we</p> <p>15 did he took notes on.</p> <p>16 Q. Okay. Thank you.</p> <p>17 So let me show you now what's been marked as</p> <p>18 Exhibit 10.</p> <p>19 (Exhibit No. 10 marked for identification.)</p> <p>20 Q. Can you see that on your screen?</p> <p>21 A. I can, yes.</p> <p>22 Q. Okay. This one doesn't have any approval on it,</p> <p>23 either. And this one is a Webley report, I think. Let</p> <p>24 me get to the bottom of it here. Yeah, a Webley</p> <p>25 report, June 24th, 2011.</p>

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1 THE WITNESS: Okay.
2 MR. DAVIS: I don't have any questions.
3 This is Jesse Davis. Thank you.
4 MS. HENDERSON: While we're still on the
5 record, if we're all wrapped up, we'd like to read and
6 sign.
7 (Deposition concluded at 3:35 PM.)
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1 CERTIFICATE
2 STATE OF OREGON)
3) ss.
4 COUNTY OF MULTNOMAH)
5
6 I, Amanda K. Fisher, a Certified Shorthand
7 Reporter, do hereby certify that, pursuant to
8 stipulation of counsel for the respective parties
9 hereinbefore set forth, RAYMOND MCNEELY remotely
10 appeared before me at the time and place set forth in
11 the caption hereof; that at said time and place I
12 reported in Stenotype all testimony adduced and other
13 oral proceedings had in the foregoing matter; that
14 thereafter my notes were reduced to typewriting under
15 my direction; and that the foregoing transcript, pages
16 1 to 225, both inclusive, constitutes a full, true and
17 accurate record of all such testimony adduced and oral
18 proceedings had, and of the whole thereof.
19 Witness my hand and stamp at Portland, Oregon,
20 May 10, 2022.
21
22

23 
AMANDA K. FISHER
24 CSR No. 3229
25



57 (Pages 225 to 226)

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